



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 5th Floor
New York, New York 10007

June 13, 2007

BY HAND DELIVERY

The Honorable Henry B. Pitman
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 750
New York, New York 10007-1312

Re: NRDC v. EPA, No. 07 Civ. 1751 (HBP)

Dear Judge Pitman:

This Office represents Defendants United States Environmental Protection Agency and Stephen L. Johnson, Administrator of the United States Environmental Protection Agency, in the above-referenced action. The parties have conferred, as required by Rule 26(f). In lieu of submitting a discovery plan, the parties respectfully request leave to report the parties' plan at the Rule 16(b) conference, which has been scheduled for June 28, 2007 at 4:30 p.m. Thank you for your consideration.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

PETER M. SKINNER
Assistant United States Attorney
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SO ORDERED


HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE

6-15-07

cc: Aaron Colangelo, Esq.
Mae C. Wu, Esq.
National Resources Defense Council
(by facsimile)

